

**MINUTES OF THE MEETING OF THE PLANNING BOARD OF
THE VILLAGE OF IRVINGTON HELD IN THE TRUSTEES' ROOM
VILLAGE HALL, ON WEDNESDAY, OCTOBER 2, 2002**

Members Present: Peter Lilienfield, Chairman
Carolyn Burnett, Acting Secretary
William Hoffman
Jay Jenkins

Members Absent: Walter Montgomery

Also Present: Lino Sciarretta, Village Counsel
Edward P. Marron, Building Inspector
Brenda Livingston, Ad Hoc Planning Board Member
Jan Blaire, Environmental Conservation Board
Applicants and other persons mentioned in these Minutes

IPB Matters

Considered: **94-03 – Westwood Development Associates, Inc.**
 Sht. 10, P25J2, 25K2
 Sht. 10C, Bl.226, Lots 25A, 26A
 Sht. 11, P-25J
 01-26 – Danfor Realty – Harriman Road
 Sht. 13B, P-5, P-5C
 02-11 – Geraldine McGowan-Hall
 Sht. 11, P-7J
 02-30 – Kevin & Mary Lockhart
 Sht. 10C, Bl. 228, Lot 5
 02-37 – Alex & Lori Riseman
 Sht. 10, Bl. 243, Lot 5, 5A, 6
 02-40 – Shane & Michelle Coppola
 Sht. 13, P-151
 02-41 – Dan & Elise Gilbert
 Sht. 10D, Bl. 243, Lot 28, 29
 02-42 – Jason & Susan Barnett
 Sht. 8, Bl. 220, Lot 1
 02-43 – Daniel & Marjorie Rosenfield
 Sht. 13, P-43
 02-44 – Westwood Development Associates
 Lot 4

The Chairman called the meeting to order at 8:00 p.m.

Administrative:

With reference to a Local Law adopted by the Village Board prohibiting the Board from considering any application concerning property on which taxes are delinquent, Mrs. Costello advised the Board that the Village Clerk-Treasurer had confirmed that all properties on the Agenda were current as to taxes and fees. Further, unless otherwise noted, the Applicants submitted evidence of notice to Affected Property Owners.

IPB Matter #94-03:

Application of Westwood Development Associates, Inc. for Limited Site Development Plan Approval for property at Broadway, Riverview Road and Mountain Road – Phase I (Tract A).

Mr. Pat Steinschneider appeared for the Applicant. Discussion centered on easements that had been submitted to Village Counsel for review. Village Counsel indicated that modifications to the submitted easements had been transmitted to the Applicant, who indicated that they would make revisions and resubmit to Village Counsel for consideration. This included a different form of Conservation Easement.

The Applicant further indicated that the Subdivision Plat was in the process of being signed by the County Department of Health; the Chairman reiterated the need for the appropriate signatures and compliance with the Resolution of Approval prior to signature by the Planning Board.

Note – The Agenda for this meeting contained an item under Open Space Inventory Consideration, noted as IPB matter #02-44. While this was not separately considered by the Board, elements were discussed as part of the overall Westwood application.

IPB Matter #02-30:

Application of Kevin & Mary Lockhart for Site Development Plan Approval for property at 67 Riverview Road.

Howard S. Raabe, Architect, appeared for the applicant. This application, previously heard at the June 5, 2002 Planning Board meeting, is for the proposed construction of a second floor addition over a one-story garage and a one-story extension behind the garage, as well as other renovations to the house. The increase will add a total of about 250 sq. ft. of floor area and a total of about 10,608 cu. ft. Plans submitted were: Lockhart Residence by Howard S. Raabe, Jr., Architect, dated May 28, 2002, five (5) sheets.

Applicant submitted evidence of re-notification to affected property owners, Zoning Board of Appeals (ZBA #02-20) approval for necessary variances, and Survey of Property prepared for Kevin & Mary Lockhart, prepared by Ward Carpenter Engineers, Inc., dated June 23, 2002.

The Chairman, with the Board's concurrence, stated that the application would be treated as a Request for Waiver of Site Development Plan Approval. There were no comments from the public. The Board then determined that the application is for a proposed action which is a Type II action under SEQRA.

After discussion, on motion duly made seconded and unanimously approved, the Board then adopted the following Resolution:

WHEREAS, the Planning Board has determined in accordance with Section 224-71 of the Village Code that the proposed construction meets conditions which permit Site Development Plan Approval to be waived in that (1) special conditions peculiar to the site exist which make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction does not violate existing zoning, will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of any significant trees, (2) that in these circumstances, to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, or Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE**, the Planning Board hereby waives all requirements for Site Development Plan approval for this application.

IPB Matter #02-37:

Application of Alex & Lori Riseman for Site Development Plan Approval for property at 6 Meadow Way.

Mr. Riseman appeared with his Architect, Michael Gallin. This application, previously heard at the August 7, 2002 Planning Board meeting, is for the proposed construction of a two-story addition to the southwest section of an existing home. Plan entitled 6 Meadow Way by Michael Louis Gallin, Architect, dated July 24, 2002, revised September 18, 2002, one (1) sheet was submitted.

The Chairman, as a neighbor of the Applicant, recused himself from the proceedings and William Hoffman became Acting Chairman. Mr. Gallin explained the changes to the plan which would eliminate any impact on the flood zone in which the property is located. Mr. Marron indicated that he would address the location and design/function of a dry well system with the architect.

The Chairman, with the Board's concurrence, stated that the application would be treated as a Request for Waiver of Site Development Plan Approval. There were no comments from the public. The Board then determined that the application is for a proposed action which is a Type II action under SEQRA.

After discussion, on motion duly made seconded and unanimously approved, the Board then adopted the following Resolution:

WHEREAS, the Planning Board has determined in accordance with Section 224-71 of the Village Code that the proposed construction meets conditions which permit Site Development Plan Approval to be waived in that (1) special conditions peculiar to the site exist which make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction does not violate existing zoning, will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of any significant trees, (2) that in these circumstances, to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, or Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE**, the Planning Board hereby waives all requirements for Site Development Plan approval for this Application.

IPB Matter #02-41:

**Application of Dan & Elise Gilbert for Site
Development Plan Approval for property at
20 Hillside Terrace.**

Michael Gallin, Architect appeared for the Applicant. The Application, previously heard at the September 4, 2002 Planning Board meeting is for the addition to the south side of existing home, including garage, master bedroom and family room. The increase will add a total of about 1000 square feet of floor area on a total of three floors and a total of about 25,000 cubic feet. The Applicant submitted evidence of Zoning Board of Appeals approval (ZBA #2002-26) for variances relating to setbacks and height.

The Chairman, as a neighbor of the Applicant recused himself from the proceedings and Jay Jenkins became Acting Chairman. The Chairman opened the public hearing. The Applicant reviewed minor changes in the plan, including those to the rear wall. The applicant agreed to plant a hardwood tree in place of the spruce tree which will be removed.

There were no comments from the public. The Board closed the public hearing and took the following action. It determined that the application is for a proposed action which is a Type II action under SEQRA, and approved the plan entitled 20 Hillside Terrace, Gilbert, by Michael Louis Gallin Architect, revised September 18, 2002.

IPB Matter #02-40:

**Application of Shane & Michelle Coppola for
Site Development Plan Approval for property at
33 Ardsley Avenue East.**

David Steinmetz, Esq., appeared for the Applicant. The Application, previously heard at the September 4, 2002 Planning Board meeting is for the construction of a new in ground swimming pool and related terrace work.

The Chairman opened the public hearing. The Applicant indicated that they had appeared before the Zoning Board of Appeals, which had requested a reduction in the plan. This led to the revised plan presently before the Planning Board, which reduced the lot coverage, eliminated the pool house and reducing the size of the deck.

There were no comments from the public. The Board closed the public hearing and took the following action. It determined that the application is for a proposed action which is a Type II action under SEQRA, and approved plans entitled Coppola Residence dated August 19, 2002 by Studer Design Associates, revised September 26, 2002, two sheets, subject to approval of variances by the Zoning Board of Appeals.

IPB Matter #02-11:

**Application of Geraldine McGowan-Hall for
Site Development Plan Approval for property
at 200 Mountain Road.**

Wayne Timonen, of Timonen Design, and Dr. Henry Hall appeared for the Application. There was general discussion regarding conversations between the Applicant and the Environmental Conservation Board. From the presentation and comments from Jan Blaire of the ECB, it was apparent that all issues had not yet been resolved. Mr. Marron reiterated the need for a remediation plan as the first step in consideration of this application. Subsequent to the development of a plan and recommendation by the ECB, the Planning Board will be in a better position to undertake its review of the proposed application.

The Application was carried over to the November meeting.

IPB Matter #02-42:

**Application of Jason & Susan Barnett for Site
Development Plan Approval for property at
48 Ardsley Avenue West.**

Marc Schwartz, of All American Pools and Spas, appeared for the Applicants. This application is for the construction of an 822 sq. ft. in ground concrete swimming pool and spa. Plans entitled Site Plan for Pool by Paul Taormina, P.E. dated September 14, 2002, four sheets, were submitted.

Site development plan approval had previously been considered for this property (see IPB #01-42), but approvals were rescinded due to a noticing issue. The current plan relocated the proposed pool farther to the east, so that it was not entirely behind the house. To

comply with the zoning regulations regarding siting of pools, the Applicant was requested to move the pool further to the west.

The Board also requested clarification of drainage issues, but otherwise deemed the application to be complete. A public hearing was set for November, presuming that the pool's location would be altered and that all drainage issues were addressed on modified plans.

IPB Matter #02-43:

**Application of Daniel & Marjorie Rosenfield for
Site Development Plan Approval for property at
58 Butterwood Lane West.**

Arthur Chabon, Architect, appeared for the applicants. The applicant is proposing to construct a two-story addition to a single-family residence. The increase will add a total of about 1,075 sq. ft. of floor area on a total of two floors and a total of about 8,600 cu. ft. Plans entitled Rosenfield Residence by Arthur Chabon, Architect, fourteen (14) sheets, dated May 20, 2002 revised August 9, 2002 were submitted.

Applicant submitted a copy of the variance received from the Zoning Board of Appeals (ZBA #2002-21) in a letter dated August 27, 2002. Comments from the ECB and Ralph Mastromonaco centers on roof drainage, access of construction vehicles, erosion control measures, and tree protection. The Applicant agreed to address these issues; the Planning Board determined that the application was otherwise complete, and scheduled a public hearing for November, predicated on the revision of the plans to address these issues.

IPB Matter #01-26:

**Application of Danfor Realty for Subdivision
Approval for property adjoining Harriman
Road.**

There was no appearance on behalf of the application; it was carried over to the November meeting.

The Board then considered the following administrative matters:

- The next regular meeting of the Planning Board was scheduled for November 6, 2002.
- The Minutes of the July 10, 2002 meeting were approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Carolyn Burnett, Acting Secretary